

Good Day-

I live in Henderson, NV. My name is David Gaffney.
I feel a bit slighted and wonder if you might explain what recourse I'd have in the following situation:

5 yrs ago, I signed a contract for cel service with 360 Communications, which became Alltel, which became Verizon.
I had not signed a contract other than the one in the first yr for service but continue to use the phone to this date.

Considering that T Mobile is offering a better plan and having no contractual obligations to Verizon, I called Verizon to offer them a chance to keep me by matching the plan I'd have left for.
They claimed this was ILLEGAL and could not do it.

They then informed me I'd be liable for paying \$175 to get out of my contract which they state is in effect thru May of 2003.
They base this "new contract" on an alleged conversation about switching me over to a plan which better suited my calling habits.
I signed nothing - ever.
Nor do I recall the conversation.
They also claim that they sent a letter to my address offering a 30 day right of refusal.

When I asked which address that might be, as I haven't seen a letter like that in my life, they quoted me a mailing address from a residence I'd had 5 yrs ago.
Interestingly, the bills have ALWAYS found their way to the proper address but this notice, conveniently, has not.

I feel that, as they have been unwavering, they might also choose to forward negative information to the credit bureaus, were I not to pay what I feel is extortion money, manifested deviously or at the least, irresponsibly.

Please respond and let me know what recourse I have, in your opinion.
Certainly, a lawyer wouldn't take this for such little money and I wonder if I'd stand a chance against such a massive corporation, myself.

Thank you so much.

Sincerely,

David Gaffney

some notes:

January 29th, 2003

Spoke to:

Lynne, Customer Supervisor in AZ at Verizon. 1[800] 922-0204
"Gotta pay it - regardless of the fact we sent notice of 30 day refusal to wrong address. That's not our problem - YOU should've told us you'd changed your mailing address."